IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2269 OF 2005

Prashant Shamrao Dhiwar ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Kuldeep Patil i/b Mr.Deepak Girme for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

APRIL 11, 2005.

P.C.

1. Heard Counsel for the parties.

2. According to the Applicant, his Application for bail has been rejected by the lower Court after filing of the charge-sheet. However, learned A.P.P., on instructions, states that the charge-sheet was filed on 22nd February 2005, whereas, Applicant's Bail Application was considered by the lower Court on 18th January 2005.

3. If it is so, the appropriate course, is to dispose of this Application with liberty to the Applicant to approach the lower Court with fresh application for bail, which will be considered on its own merits, in accordance with law, on account of changed circumstance of filing of the charge-sheet. Ordered accordingly. All questions are left open.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.